

REMARKS

Claims 1-4 and 13 are pending in the application (claims 5-12 are withdrawn from consideration). Claims 1-4 are allowed.

In the Office Action, it is noted that claim 13 is objected to for an informality. By this Amendment, appropriate correction has been made to claim 13. Therefore, reconsideration and withdrawal of the objection to claim 13 is respectfully requested.

35 U.S.C. § 102(e) Rejection

Claims 13 presently stands rejected under 35 U.S.C. § 102(e) over Kato (U.S. Patent No. 6,104,532). Because Kato does not disclose all of the limitation of claim 13 as amended, it is respectfully asserted that claim 13 is patentable over Kato.

Specifically, amended claim 13 recites “the objective optical system consists of three lens units arranged in the following order, from an object side of the objective optical system: a first lens unit *having a positive optical power*; and two succeeding lens units.” (Emphasis added).

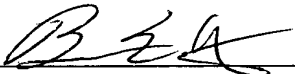
These limitations are not disclosed or suggested by Kato. Kato discloses an optical system which includes an objective system having first, second, and third lens units. However, Kato does not disclose an objective system consisting of three lens units where a first lens unit has a positive optical power. Rather, Kato discloses an objective system having three lens units wherein the first lens unit has a negative optical power. (Kato, col. 3, lines 16-24, Figs. 4A-4C). Therefore, since Kato fails to disclose all of the limitations of claim 13, Kato cannot anticipate claim 13.

Accordingly, it is respectfully requested that the rejection of claim 13 under 35 U.S.C. § 102(e) over Kato be reconsidered and withdrawn.

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Amendment dated August 1, 2003
Reply to Office Action of June 26, 2003

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Respectfully submitted,

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No.	Doccode	Number of pages
1	A...	2
2	CLM	10
3	REM	2

Total number of pages: 14

Remarks:

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